

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.: 20010463.CIP
First Inventor: Scott T. Latterell
Title: Bipolar Electrosurgical Instrument for
Cutting Desiccating and Sealing Tissues

Express Mail Label No.: EV 357551128 US

Address to: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Elements:

1. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
2. ☒ Specification Total Pages: 15
3. ☒ Drawings Total Sheets: 9
4. Oath or Declaration Total Pages:
 - a. ☒ Newly executed.
 - b. ☐ Copy from prior application
(for continuation/divisional with Box 13 completed)
5. ☒ Application Data Sheet.

Accompanying Application Parts

6. ☒ Assignment Papers (cover sheet & document)
7. ☐ Information Disclosure Statement
8. ☐ Preliminary Amendment
9. ☒ Return Receipt Postcard

22388 U.S. PTO
10/657378
09/08/03

10. ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
11. ☒ Certificate of Mailing Via Express Mail
12. ☒ Check in the amount of \$790.00
13. ☒ If a **CONTINUING APPLICATION** (check appropriate box and supply requisite information below and in a preliminary amendment, or in an Application Data Sheets under 37 CFR 1.76):

☐ Continuation ☐ Divisional ☒ Continuation-in-Part

of prior application Serial No.: 10/188,207

Prior application information: Examiner: Group Art Unit: 3839

☒ **Assignee Information for Inclusion on the Patent Application Publication:**

Assignee: Gyrus Medical, Inc.
Address: 6655 Wedgwood Road, #105
Maple Grove, MN 55311

Method of Payment

☒ Payment enclosed by check to cover the filing and recording fees.

☒ The Commissioner is authorized to charge any fees or refund any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 08-1265 under Deposit Account name of Nikolai & Mersereau, P.A.

Correspondence Address:

Customer No.: 23595

Typed Attorney Name: Thomas J. Nikolai
Attorney Registration No.: 19283
Telephone Number: 612-339-7461

Signature:  Date: September 8, 2003.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 790.00

Complete if Known

Application Number
Filing Date
First Named Inventor Scott T. Latterell
Examiner Name
Art Unit
Attorney Docket No. 20010463.CIP

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
Deposit Account Name

08-1265

Nikolai & Mersereau

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	740	2001	370	Utility filing fee	750.
1002	330	2002	165	Design filing fee	
1003	510	2003	255	Plant filing fee	
1004	740	2004	370	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 750.

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - 20** = X =
Independent Claims - 3** = X =
Multiple Dependent =

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	400	2252	200	Extension for reply within second month	
1253	920	2253	460	Extension for reply within third month	
1254	1,440	2254	720	Extension for reply within fourth month	
1255	1,960	2255	980	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,280	2453	640	Petition to revive - unintentional	
1501	1,280	2501	640	Utility issue fee (or reissue)	
1502	460	2502	230	Design issue fee	
1503	620	2503	310	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.
1809	740	2809	370	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	740	2810	370	For each additional invention to be examined (37 CFR 1.129(b))	
1801	740	2801	370	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.

SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Thomas J. Nikolai Registration No. 19283 Telephone 612-339-7461
Signature [Signature] (Attorney/Agent) Date 09/08/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Express Mail No. EV 357551128 US
Docket No. 29919463.CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Scott T. Latterell, et al.
: September 8, 2003
For : Bipolar Electrosurgical Instrument for
Cutting Desiccating and Sealing Tissues

CERTIFICATE OF MAILING VIA EXPRESS MAIL

MAIL STOP PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

I hereby certify that the attached patent application consisting of 10 pages of specification, 3 pages of claims, abstract, 9 sheets of formal patent drawings, 2 pages of an executed Declaration, Power of Attorney, and Petition, 2 pages of an executed Assignment, a utility patent application transmittal, a Recordation Form Cover Sheet, a Patent Application Data Entry Format, a return receipt postcard, and a check in the amount of \$790.00 in payment of the filing and recording fees, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to:

MAIL STOP PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

under Express Mail Post Office to Addressee Label No. EV 357551128 US.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.


Linda J. Rice

On Behalf of Thomas J. Nikolai
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